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A-23-000834

Petersen v. Petersen

Motion to Extend Brief Date Appellee

Motion considered. By order of the Court, Appellee's FINAL brief date extended to April 22, 2024. No further extensions will be allowed except upon a showing of good cause. Neither the stipulation of the parties nor the press of other business constitutes good cause. See Neb. Ct. R. App. P. § 2-106(E)(2).

A-23-000835

Hernandez v. JBS Holdings

Appellant's Replacement Brief Due

Appellant's brief filed February 21, 2024, does not comply with Neb. Ct. R. App. P. § 2-103(C)(1) regarding content of cover page.

Appellant's replacement brief complying with the above-referenced rule is due on or before March 22, 2024.

A-23-000855

State v. Andrea E Moffatt

Appellant's Replacement Brief Due

Appellant's brief filed February 26, 2024, does not comply with Neb. Ct. R. App. P. §§ 2-103(C)(1) regarding content of cover page,

2-103(A)(3) regarding margins and spacing, 2-103(A)(4) regarding underscoring and 2-109(D)(1)(g) to include annotations to the statement of facts. Appellant's replacement brief complying with the above-referenced rules is due on or before March 22, 2024.

A-23-000879

Peterson v. Brandon Coverdell Construction Inc.

Appellant's Replacement Brief Due

Appellant's brief filed March 6, 2024, does not comply with Neb. Ct. R. App. P. §§ 2-103(C)(1) regarding content of cover page, 2-109(C)(2) regarding pagination and 2-109(D)(1)(h) to include the summary of argument. Appellant's replacement brief complying with the above-referenced rules is due on or before March 22, 2024.

A-23-000922

State v. Jacob W Pollock

Appellant's Replacement Brief Due

Appellant's brief filed February 28, 2024, does not comply with Neb. Ct. R. App. P. §§ 2-103(C)(1) regarding content of cover page,

2-109(C)(2) regarding pagination, 2-103-(C)(4) regarding the certificate of compliance, 2-103(A)(3) regarding margins and spacing and 2-109(D)(1)(f) to include propositions of law. Appellant's replacement brief complying with the above-referenced rules is due on or before March 22, 2024.

A-23-000923

Johnson v. City of Omaha

Appellant's Replacement Brief Due

Appellant's brief filed March 4, 2024, does not comply with Neb. Ct. R. App. P. §§ 2-103(C)(1) regarding content of cover page and

2-103(C)(2) regarding pagination. Appellant's replacement brief

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complying with the above-referenced rules is due on or before March 22, 2024.

A-23-000970

Mangers v. Osterholt

By order of the Court re: Briefs

By order of the Court, Appellant's replacement brief correcting its case number accepted as filed. Original brief filed is stricken.

A-23-000989

Jennings Plant Services v. Ellerbrock-Norris Agency

Appellant's Replacement Brief Due

Appellant's brief filed March 7, 2024, does not comply with Neb. Ct.

R. App. P. § 2-103(C)(1) regarding the contents of cover page.

Appellant's replacement brief complying with the above-referenced rule is due on or before March 22, 2024.

A-23-000991

State v. James Coleman III

Motion to Extend Brief Date Appellee

Motion considered; Appellee's FINAL brief date extended to 14 days after court's ruling on Appellee's motion for summary affirmance.

A-23-001004

Spady v Pughes

Motion Appellants to Extend Brief Date

Motion considered. By order of the Court, Appellants' FINAL brief date extended to April 10, 2024. No further extensions will be allowed except upon a showing of good cause. Neither the stipulation of the parties nor the press of other business constitutes good cause. See Neb. Ct. R. App. P. § 2-106(E)(2).

A-23-001042

State v. Grant L Gregory

ROD Mot. of Appellee for Summary Affirmance

Appellee's motion for summary affirmance granted. See Neb. Ct. R. App. P. § 2-107(B)(2). Sentence imposed did not constitute an abuse of discretion. A sentence imposed within the statutory limits will not be disturbed on appeal in the absence of an abuse of discretion by the trial court. State v. Horne, 315 Neb. 766, 1 N.W.3d 457 (2024).

A-23-001043

State v. Grant L Gregory

ROD Mot. of Appellee for Summary Affirmance

Appellee's motion for summary affirmance granted. See Neb. Ct. R. App. P. § 2-107(B)(2). Sentence imposed did not constitute an abuse of discretion. A sentence imposed within the statutory limits will not be disturbed on appeal in the absence of an abuse of discretion by the trial court. State v. Horne, 315 Neb. 766, 1 N.W.3d 457 (2024).

A-24-000092

State v. Zhijun Xia

ROD Misc Submission to Court re Jurisdiction

Appeal dismissed. See Neb. Ct. R. App. P. § 2-107(A)(1). Appellant's

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notice of appeal filed February 9, 2024, was not filed within 30 days of the district court's January 8, 2024, order denying his request for postconviction relief. See Neb. Rev. Stat. § 25-1912(1) (Cum. Supp. 2022).

ORDERS TO SHOW CAUSE & AMENDED OPINIONS

A-24-000010

Misle v. Shrier

Order to Show Cause re BOE Deposit

A-24-000132

State obo Josselynn S. v. Gregory S.

Order to Show Cause re BOE

A-24-000136

In re Interest of Ethan L.

Order to Show Cause re BOE

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S-22-000097

State v. Justin N Rashad

ROD Submission to Court

Reversed and remanded with directions. Funke, Justice.

S-22-000560

State v. DeShawn L Gleaton Jr

ROD Submission to Court

Affirmed as modified. Papik, Justice.

S-23-000289

Inland Insurance Company v. Lancaster County Board of Equalization

ROD Submission to Court

Reversed and remanded for further proceedings. Heavican, Chief Justice.

S-23-000351

Millard Gutter Company v. American Family Mutual Insurance Company

Motion of Appellant to Continue OA

Motion of Appellant to continue oral argument sustained. Case to be placed on the next proposed call of the Nebraska Supreme Court, to occur on April 30, May 1, and May 3, 2024.

S-23-000400

Sulzle v. Sulzle

Motion of Appellee to Continue Oral Arg

Motion of Appellee to continue oral argument sustained. Case to be placed on the next proposed call of the Nebraska Supreme Court, to occur on April 30, May 1, and May 3, 2024.

S-23-000473

Sulzle v. Sulzle

Motion of Appellee to Continue Oral Arg

Motion of Appellee to continue oral argument sustained. Case to be placed on the next proposed call of the Nebraska Supreme Court, to occur on April 30, May 1, and May 3, 2024.

S-23-000438

MIMG LXXIV Colonial, LLC v. Ellis

By order of the Court Supp Briefing

In light of the acknowledgement by counsel for appellee that appellee's lease has expired and she no longer resides at the subject property: The parties are ordered to submit supplemental briefs addressing (1) whether the case is moot, and (2) if the case is moot whether the Court should address any or all of the assigned errors under an exception to the mootness doctrine. The supplemental briefs shall contain no more than 5,000 words and shall be filed by Friday, March 15, 2024.

S-23-000506

State v. Marcus Brown

Case ordered moved to Sup. Ct. docket

By order of the Nebraska Supreme Court, case moved from Court of

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Appeals docket to Supreme Court docket.

S-23-000513

State v. William Zitterkopf

Mot of Appt to Extend Reply Brief Date

Appellant's motion to extend reply brief deadline until February 27, 2024 sustained.

S-23-000521

State v. James M Briggs Jr

Case ordered moved to Sup. Ct. docket

By order of the Nebraska Supreme Court, case moved from Court of Appeals docket to Supreme Court docket.

S-23-000645

Mosher v. Whole Foods Market, Inc.

Joint Stipulation for Continuance OA

Joint stipulation to continue oral argument sustained. Case to be placed on the next proposed call of the Nebraska Supreme Court, to occur on April 30, May 1, and May 3, 2024.

S-23-000738

State v. Rosario Betancourt-Garcia

Motion Appellee to Extend Brief Date

Motion considered. By order of the Court, Appellee's FINAL brief date extended to April 8, 2024. No further extensions will be allowed except upon a showing of good cause. Neither the stipulation of the parties nor the press of other business constitutes good cause. See Neb. Ct. R. App. P. § 2-106(E)(2).

S-23-000856

In re Masek Family Trust

Motion of Appellant to Extend Brief Date

Motion considered. By order of the Court, Appellant's FINAL brief date extended to March 13, 2024. No further extensions will be allowed.

S-23-000957

State v. Keith L Allen

Motion Appellant to Extend Brief Date

Motion considered. By order of the Court, Appellant's FINAL brief date extended to April 8, 2024. No further extensions will be allowed except upon a showing of good cause. Neither the stipulation of the parties nor the press of other business constitutes good cause. See Neb. Ct. R. App. P. § 2-106(E)(2).

S-24-000113

State v. Anthony J Garcia

Motion Appt Counsel Lancaster to W/draw

The motion to withdraw as counsel for Appellant filed by Todd W. Lancaster of the Nebraska Commission on Public Advocacy is sustained.

S-24-000169

State ex rel. Counsel for Discipline v. Tomka

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ROD

Appl. for Disability Inactive Status

Jennifer Tomka filed an application for placement on disability inactive status pursuant to Neb. Ct. R. § 3-311(C). Counsel for Discipline has no objection to the application. Upon due consideration, it is hereby ordered that Respondent, Jennifer Tomka, is placed on disability inactive status pursuant to Neb. Ct. R. § 3-311 until further order of this court.